

**Responses to Comments Received During the Public Notice Period
Regarding Draft WPCP NEV0092105 for the Twin Creeks Mine –
North Project**

Comments from Doug Barto on behalf of Newmont Mining Corporation, received by Mail on May 8, 2006

Newmont Mining Corporation: Review of the draft permit found that there is a requirement for kinetic testing of waste rock when static testing indicates the potential for acid generation as set forth in the Division's guidance document "Waste Rock and Overburden Evaluation" (dated September 14, 1990).

The Twin Creeks Mine submitted to the Division a Materials Handling Plan in 1996. The plan and its subsequent amendments have been approved by the Bureau of Mining Reclamation and Regulation. The detailed evaluation of waste rock, site conditions and required handling procedures provided in this approved document negate the requirement to perform kinetic testing within 10 days when potential for acid rock drainage is shown by static testing. As stated in item IV of the Evaluation Procedure of the 1990 Waste Rock and Overburden Evaluation guidance document, the purpose of kinetic testing is to confirm acid generation potential, thus leading the mine to evaluate site specific conditions and characteristics. The mine would then propose containment/neutralization methods to the Division for approval. In effect, the kinetic testing is a characterization tool used to develop an appropriate materials handling plan.

Because these tasks have previously been accomplished to develop the Division approved Twin Creeks Materials Handling Plan, Newmont request permit condition I.D.8, footnote 4 be changed to either remove the reference or change the reference to the Division approved Materials Handling Plan.

NDEP Response: Reference has been made to the Materials Handling Plan.

Comments from Debbie Bennett on behalf of Newmont Mining Corporation, received by e-mail on May 23, 2006

Newmont Mining Corporation: Based upon our recent conversation regarding the content of the Twin Creeks Water Pollution Control Permit NEV86018, currently in the renewal process, Newmont Mining Corporation (Newmont) requests the removal of compliance item 1 to submit a pit lake water quality study by July 1, 2007, the removal of Section 20 and the addition of Sections 31 and 32 in the project description as provided below.

The Twin Creeks Mine operates under two Water Pollution Control Permits (NEV86018 – North; NEV89035 - South). The line that divides the two permits is the Midway Facility located in Section 18. As described in the renewal Fact Sheet provided to you by Ron Clarke, The Twin Creeks Mine – North Project is located in Sections 4, 5, 6, 7, 8, 9, 16, 17, and 18 in Township T39N, R43E and Sections 31 and 32 in Township T40N, R43E. Section 20 should be removed as this is included in the South Permit and Sections 31 and 32 need to be added to the description as an overburden facility exists in these Sections.

Because the Mega Pit is located south of the Midway Facility, waste rock sampling and pit lake water quality prediction is reported through NEV89035 – South Project. The Vista Pit is located in the North project and all sampling and reporting is transmitted through NEV86018. No pit lake is predicted in the Vista Pit. Therefore, Newmont requests the compliance item for submittal of a pit lake study be removed from the North Permit as there is no predicted pit lake associated with this permit.

NDEP Response: Appropriate sections have been incorporated into this permit to provide clarification on the scope of the two water pollution control permits with respect to addressing regulatory requirements. As such, schedule-of-compliance item I.B.1 was removed from this permit since it will be incorporated in permit NEV0089035.